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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,990	03/13/2001	Jin Soo Lee	P-203	9375
7590 12/15/2004				
Fleshner & Kim, LLP 14500 Avion Parkway, Suite 125 Chantilly,, VA 20151				
		EXAMINER AKLILU, KIRUBEL		
		ART UNIT PAPER NUMBER 2614		

DATE MAILED: 12/15/2004

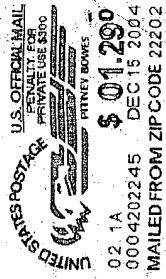
Please find below and/or attached an Office communication concerning this application or proceeding.

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RETURN TO SENDER  
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# Office Action Summary

Application No.

09/803,990

Applicant(s)

LEE ET AL.

Examiner

Kirubel Aklilu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



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## CHANGE OF ADDRESS/POWER OF ATTORNEY

FILE LOCATION 26C9 SERIAL NUMBER 09803990 PATENT NUMBER

THE CORRESPONDENCE ADDRESS HAS BEEN CHANGED TO CUSTOMER # 34610

THE PRACTITIONERS OF RECORD HAVE BEEN CHANGED TO CUSTOMER # 34610

ON 02/12/03 THE ADDRESS OF RECORD FOR CUSTOMER NUMBER 34610 IS:

FLESHNER & KIM, LLP  
14500 AVION PARKWAY, SUITE 125  
CHANTILLY VA 20151

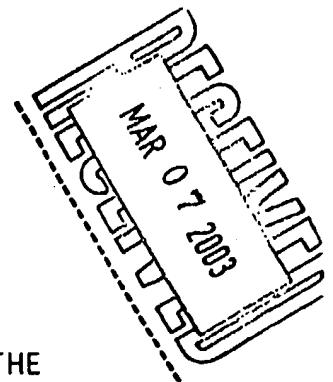
AND THE PRACTITIONERS OF RECORD FOR CUSTOMER NUMBER 34610 ARE:

34596	35006	35811	36186	36465	38128	38647	39318	40287	40372
46121	46425	47355	48752	48984	51556				

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PTO INSTRUCTIONS: PLEASE TAKE THE FOLLOWING ACTION WHEN THE CORRESPONDENCE ADDRESS HAS BEEN CHANGED TO CUSTOMER NUMBER: RECORD, ON THE NEXT AVAILABLE CONTENTS LINE OF THE FILE JACKET, 'ADDRESS CHANGE TO CUSTOMER NUMBER'. LINE THROUGH THE OLD ADDRESS ON THE FILE JACKET LABEL AND ENTER ONLY THE 'CUSTOMER NUMBER' AS THE NEW ADDRESS. FILE THIS LETTER IN THE FILE JACKET. WHEN ABOVE CHANGES ARE ONLY TO FEE ADDRESS AND/OR PRACTITIONERS OF RECORD, FILE LETTER IN THE FILE JACKET. THIS FILE IS ASSIGNED TO GAU 2611.

## DETAILED ACTION

### *Specification*

A substitute specification including the claims is required pursuant to 37 CFR 1.125(a) because there are numerous grammatical errors throughout the specification. For example:

- Page 1 lines 13-16 "As multimedia consumption has been rapidly increased and a movement for providing more user-oriented service has been activated, much user-friendly services reflecting a user preference by making a system to observe a usage pattern of the user.", is not a complete statement.
- Page 1 line 23 "In addition, *the* other conventional technology", there is no previous mention of "*the* other conventional technology".
- Page 3 line 19 "technology *can have to* record" contains grammatical error.
- Page 4 line 1 "when the all information" contains grammatical error.

There are numerous similar errors as presented above through out the specification. The examiner kindly requests a correction.

A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets

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placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4,8,14-16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

1. Claim 4 recites the limitation "the dependent information" in line 22 of page 20. There is insufficient antecedent basis for this limitation in the claim.

2. Claim 8 recites the limitation "the usage history list" in line 23 of page 21. There is insufficient antecedent basis for this limitation in the claim.

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3. Claims 14-16 recites the limitation "the first" in lines 4, 9, and 14 of page 23. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, and 8-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bedard (U. S. Patent # 5,801,747).

1. In regards to **Claim 1**, Bedard teaches a method for generating user history information of multimedia data, comprising:

Generating usage summary information (see Bedard Fig. 2 Unit 208, and 206; col. 4 lines 49-65 "Categories 208 represent various possible types of television programming.") including feature information of the multimedia data (see Bedard Fig. 2 Unit 208 categories, col. 4 lines 49-65 "categories 208 represent various

possible types of television programming. Within each category 208 there may be one or more subcategories. For, example, under the category of movies there may be subcategories for adventure, comedy, science fiction, etc."); and

Generating a usage history list (see Fig. 2 unit 202 television channels and unit 204 total units; col. 4 lines 27-37 "Fig. 2 discloses a viewer profile array 200 stored by the viewer profile in a storage means as a result of a hypothetical viewer's *extended viewing history*. It will be appreciated that viewer profile array 200 could be embodied as one of a number of types of data storage devices, such as a two-dimensional array or a linked list.") including a feature code (see Fig. 2 unit 204 Total Units col. 4 lines 49-58 "total viewing unit counter 204 of entry 202 represents *the total* number of viewing units the viewer viewed the corresponding channel represented by entry 202. Subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period the viewer viewed the associated category 208 programming on the corresponding channel of an entry 202.") for linking the feature information. The two left columns of viewer profile array 200 (channel list unit 202 and unit 204 total unit) are interpreted to be the usage history list because this list shows an extended viewing history of the user. The remaining right half of



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viewer profile array is interpreted to be the usage summary information because it is constructed with feature information (unit 208 which represents categories and subcategories) and usage count (unit 206). Unit 204 is interpreted to be a feature code for linking the history list to the feature information because the total unit count (unit 204, which is part of the history list) contains a value that is linked to category/subcategory viewing unit counter (unit 206, which is part of the feature information).

2. As for **Claim 2**, Bedard teaches the method for generating user history information of multimedia data according to claim 1, wherein the usage summary information comprises the feature information (see limitation of claim 1 above), and a feature table (see Bedard Fig. 2 Unit 200 Viewer profile array, col. 4 lines 27-37 "viewer profile array 200 contains entries 202 representing television channels viewed at least one viewing unit.") including a usage count (see Bedard Fig. 2 unit 204 TOTAL UNITS and unit 206 category or subcategory viewing unit counters, col. 4 lines 49-60 "204 of entry 202 represents the total number of viewing units the viewer viewed the corresponding channel represented by entry 202. Subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period the viewer viewed the associated category 208") for each feature information.

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3. As for **Claim 3**, Bedard teaches the method for generating user history information of multimedia data according to claim 1, wherein the usage history list further comprises information dependent on the multimedia data used in each history item (see Fig. 2 unit 202 channel; col. 4 lines 32-34 "Viewer profile array 200 contains entries 202 representing television channels viewed at least one viewing unit").
4. As for **Claim 4**, Bedard teaches the method for generating user history information of multimedia data according to claim 2, wherein the dependent information includes title of data (see Fig. 2 unit 202 channel; col. 4 lines 32-34 "Viewer profile array 200 contains entries 202 representing television channels viewed at least one viewing unit"). The channel name of unit 202 (for example ESPN) is interpreted to be "title of data", such as title of the data that is presented on a particular television channel.
5. As for **Claim 5**, Bedard teaches the method for generating user history information of multimedia data according to claim 1, wherein the feature information has a hierarchical table structure (see Bedard Fig. 2 unit 202 CHANNEL and unit 208 category/subcategory, col. 4 lines 32-34 "array 200 contains entries 202 representing television channels viewed for at least one viewing unit" and col. 4 lines 58-65 "Categories 208 represent various possible types of television programming. Within each category 208 there may be one or more subcategories.").

6. As for **Claim 6**, Bedard teaches the method for generating user history information of multimedia data according to claim 5, wherein the hierarchical table is constructed with a general item (see Bedard col. 4 col. 4 lines 32-34 "array 200 contains entries 202 representing television channels viewed for at least one viewing unit") corresponding to the feature information and extended to detailed items (see Bedard col. 4 lines 58-65 "Categories 208 represent various possible types of television programming. Within each category 208 there may be one or more subcategories.").

7. As for **Claim 8**, Bedard teaches a method for managing user history information of multimedia data, comprising:

Checking, when an event to be included in the user history information occurs (see Bedard Fig. 3 unit 300, 302, 304; col. 5 34-40 "a viewer time is initiated at step 300 when a television viewer commences viewing a channel. When the viewer tunes (step 302) to a different channel, the viewer profile examines the timer to determine how much time has elapsed (step 304). If the timer indicates that less than one viewing unit has elapsed, no further action is taken . . . however if the timer indicates that one or more viewing units has elapsed, then the viewer profile determines at step 306 . . . "), whether feature information corresponding to an

event is information that a usage summary information item has already been recorded (see Bedard Fig. 3 unit 306, col. 5 lines 34-45 "the viewer profile determines at step 306 whether the viewed channel is already in the viewer profile array 200.");

Recording the corresponding feature information on the usage summary information item when the usage summary information has not been recorded (see Bedard Fig. 3 steps 310-326 col. 5 line 49 – col. 6 line 8 "If there is room in array 200, the viewer profile will move (step 312) all existing entries 202 down one position in array 200, and restart (step 300) the timer for the new channel. If there is no room in the viewer profile array 200 for new entry 202, then new entry 202 must replace an existing entry. The viewer profile will start (step 316) . . .");

And

Recording link information on the feature information (see col. 4 lines 55-58 "subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period . . .") and information corresponding to the event on a history item to be added to a usage history list (see col. 4 lines 51-53 "total viewing counter 204 of entry 202 represents the total number of viewing units the viewer viewed . . ."). Whenever a user views a specific channel for at least one unit of time, unit 204 and 206 are

increased accordingly. Therefor, unit 206 is interpreted as being a link information on the feature information and unit 204 is interpreted as an information corresponding to the event on a history item to be added to the usage history list.

8. As for **Claim 9**, Bedard teaches the method for managing user history information of multimedia data according to claim 8, further comprising a process of increasing an [a] usage count of the feature information whenever the feature information is used (see Bedard Fig. 2 unit 204 TOTAL UNITS and unit 206 category or subcategory viewing unit counters, col. 4 lines 49-60 "204 of entry 202 represents the total number of viewing units the viewer viewed the corresponding channel represented by entry 202. Subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period the viewer viewed the associated category 208").
9. As for **Claim 10**, Bedard teaches the method for managing user history information of multimedia data according to claim 8, wherein the feature has a hierarchical structure (see Bedard Fig. 2 unit 202 CHANNEL and unit 208 category/subcategory, col. 4 lines 32-34 "array 200 contains entries 202 representing television channels viewed for at least one viewing unit" and col. 4 lines 58-65 "Categories 208 represent various possible types of television programming. Within each category 208 there may be one or more subcategories.").

10. As for **Claim 11**, Bedard teaches the method for managing user history information of multimedia data according to claim 8, wherein the link information is described on a feature code item in the usage history item (see Fig. 2 unit 204 total units; col. 4 lines 49-60 "total viewing counter 204 and one or more individual category or more individual category or subcategory viewing unit counters 206 . . ."). Unit 204 is interpreted as a feature code item (it describes the total sum of the number of units of the subcategories of a channel) that contains link information to the usage summary information table.

11. As for **Claim 12**, Bedard teaches the method for managing user history information according to claim 8, wherein the information corresponding to the event includes usage time information (Fig. 2 unit 204 and 206, col. 4 lines 49-58 "Each entry 202 has an associated total viewing unit counter 204 and one or more individual category or subcategory viewing counters 206"), and original information (Fig. 2 unit 202, col. 4 lines 32-34 "Viewer profile array 200 contains entries 202 representing television channels viewed for at least one viewing unit." and unit 208, col. 4 lines 59-65 "Categories 208 represent various possible types of television programming. Within each category 208 there may be one or more subcategories.") of the usage data. When an event occurs (i.e. when a viewer watches a channel for longer than one viewing period), the corresponding usage time (units 204 and 206 that represent how long a

user has viewed the channel) is recorded as well as the name of the channel (unit 202) and category/subcategory (unit 208), which are interpreted to be original information of the usage data.

12. As for **Claim 13**, Bedard teaches the method for managing user history information of multimedia data according to claim 8, wherein further comprising the steps of:

Judging whether deleting the history item in accordance with a predetermined condition (see Bedard Fig. 3 units 314-326; col. 5 line 59 – col. 6 line 8 “If there is no room in viewer profile array 200 for new entry 202, then new entry 202 must *replace* an existing entry. . .”);

Decreasing the usage count of the feature information corresponding to the link information recorded in the history item (see Bedard Fig. 3 units 316; col. 5 lines 61-65 “The viewer profile will start (step 314) at the bottom entry in array 200 and decrement (step 316) total viewing units counter 204 for that entry 202 by one . . .”); and

Deleting the history item in the usage history list that the link information is recorded (see Bedard Fig. 3 units 316; col. 5 lines 61-65 “The viewer profile will start (step 314) at the bottom entry in array 200 and decrement (step 316) total viewing units counter 204 for that entry 202 by one, and then examine (step 318) whether counter 204 for that entry has reached zero . . . If, however, decrementing total viewing units counter 204 at step 316 for bottom entry 202 does not reduce counter 204

to zero, the viewer profile must continue to search for an entry 202 that is old enough to be *removed* from viewer profile array 200.”). Whenever the total unit count is decremented and reaches zero, the history item in the usage history list that contains the link information (to usage summary information) is deleted as well.

13. As for **Claim 14**, Bedard teaches the method for managing user history information of multimedia data according to claim 13, wherein the process of judging whether deleting the history item comprises the process of setting the certain condition as a certain time period (see Bedard Col. 6 lines 28-46 “This alternative embodiment allows the relevance of potential new entry 202 to be weighed against the relevance of potential new entry on the basis of the amount of time the corresponding channels have been viewed during the viewer profile collection period.”), checking the time period of the each history item, and sequentially judging whether deleting each history item from the first (see col. 6 lines 28-35 “Instead of performing only one cycle, the viewer profile may make multiple cycles through array 200, where, for example, the number of cycles may be dependent upon the number of viewing units that the channel represented by new entry 202 has been viewed.”).

14. As for **Claim 15**, Bedard teaches the method for managing user history information of multimedia data according to claim 13, wherein the process for judging whether deleting the history item comprises the process of



judging whether deleting the history item from the first, by comparing the history item with a predetermined reference number of history item (see col. 6 line 63 – col. 7 line 6; “after one unsuccessful cycle through viewer profile array 200, the viewer profile will simply remove the oldest entry 202 that has a viewing units counter lower than that of the entry to be added.”).

15. As for **Claim 16**, Bedard teaches the method for managing user history information of multimedia data according to claim 13, wherein the process for judging whether deleting the history item judges whether deleting the history item from the first item by considering the certain condition and the number of the history item (see col. 6 line 63 – col. 7 line 6; “after one unsuccessful cycle through viewer profile array 200, the viewer profile will simply remove the oldest entry 202 that has a viewing units counter lower than that of the entry to be added.”).
16. As for **Claim 17**, Bedard teaches as the usage count for the for the lowest level of feature information is increased or decreased, the usage count for higher level of feature information is automatically increased or decreased. (As unit 206 counter for category/subcategory increases or decreases, the corresponding unit 204 total units counter will also accordingly increases or decreases.)
17. As for **Claim 18**, Bedard teaches a method for generating user profile information of multimedia data (see Fig. 2 unit 200 Viewer profile array;

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col. 4 lines 27-29 "Fig. 2 discloses a viewer profile array stored by the viewer profile in a storage means as a result of a hypothetical viewer's extended viewing history ") and a method for managing the user history information for reflecting user preference (Fig. 2 unit 202 channels; col. 4 lines 32-37 "viewer profile array 200 contains entries 202 representing television channels viewed for at least one viewing unit. More specifically, entries 202 in viewer profile array 200 at any given time represent the determination by the viewer profile of the viewer's preferences at that time.") of multimedia data, comprising:

Generating user-designated history information compulsorily or automatically designated by a user (see col. 8 lines 1-15 "as improvement upon parental lock-out features already known in the art, the present invention allows the locking out of certain channels based on time parameters, thereby allowing the viewing of certain channels and/or categories of viewing to be limited to a set amount of viewing units per time period. . . for example, a viewer can be limited to only four hours of sporting events per week. Once the viewing unit counters of array 200 indicate that four hours of sporting event have been accumulated, the viewer is prohibited from watching any further sporting events for that period of week."). The history information that is recorded in unit 202 channel, and unit 204 total unit counts relating to a programming event that is limited to only a certain amount of time duration (example of four

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hours in the above example) and for a given time period (a week for the above example) is interpreted as a user-generated history information compulsorily designated by a user;

Generating conditional usage history information for managing a history satisfying a certain condition (see col. 4 lines 1-14 "The viewer profile will thus only consider significant those viewing periods longer than one viewing unit. One skilled in the art will understand that the time duration represented by one viewing unit can be varied."); and

Generating unconditional usage history information for continually reflecting the user history from the time that the user history occurs (see Fig. 1 unit 100 Channel, unit 102 time period, unit 104 viewing duration; col. 4 lines 15-20 "Fig. 1 discloses a hypothetical viewer's actual viewing behavior before being filtered and stored by the viewer profile. Channels 100 are the channels viewed by the user during depicted time period 102. Each viewing duration 104 reflects the channel viewed and elapsed time.").

18. As for **Claim 19**, Bedard teaches the method for generating user profile information according to claim 18, wherein the user-designated history information is constructed with combination of interruption position of the data interrupted during watching (see col. 8 lines 1-15 "as improvement upon parental lock-out features already known in the art, the present invention allows the locking out of certain channels based on time

parameters, thereby allowing the viewing of certain channels and/or categories of viewing to be limited to a set amount of viewing units per time period. . . for example, a viewer can be limited to only four hours of sporting events per week. Once the viewing unit counters of array 200 indicate that four hours of sporting event have been accumulated, the viewer is prohibited from watching any further sporting events for that period of week."), interruption time (the instantaneous time when the four hours of sporting event is complete in the above example is interpreted as the interruption time), and the position of data (the instantaneous position of the data of the sporting event at the end of the four hour period in the above example is interpreted as the position of data).

19. As for **Claim 20**, Bedard teaches the method for generating user profile information according to claim 18, wherein the process for generating the conditional user history information comprises the steps of:

Generating usage summary information (see Fig. 2 unit 208 categories/subcategories, unit 206 category/subcategory viewing unit counter; col. 4 lines 55-65 "Subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period the viewer viewed the associated category208 programming on the corresponding channel of an entry 202.") including frequency of usage (see Fig. 2 unit 206 category/subcategory viewing unit counter; col. 4 lines 55-58 "Subcategory viewing unit counters 206 represent the number of

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viewing units during the viewer profile collection period the viewer viewed the associated category208 programming . . .") about the feature information of the relevant information; and

Generating a usage history list (see Fig. 2 unit 202 channel and unit 204 total units counter; col. 4 lines 32-34 ""Viewer profile array 200 contains entries 202 representing television channels viewed for at least one viewing unit" and col. 4 lines 51-54 "total viewing counter 204 of entry 202 represents the total number of viewing units the viewer viewed the corresponding channel represented by entry 202.") including a feature code for reading the feature information in the usage summary information (see Fig. 2 unit 204 total units counter; col. 4 lines 49-58 "total viewing counter of entry 202 represents the total number of viewing units the viewer viewed the corresponding channel represented by entry 202. Subcategory viewing unit counters 206 represent the number of viewing units during the viewer profile collection period the viewer viewed the associated category208 programming on the corresponding channel of an entry 202."). Therefore, unit 204 is interpreted as a feature code, because it provides information regarding the total category/subcategory viewing units for a particular channel 202.

20. As for **Claim 21**, Bedard teaches the method for generating user profile information according to claim 18, wherein the process for generating the unconditional usage history information comprises the steps of:

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Generating preference information including the feature information and preference corresponding to the feature information as a numeral value (see Fig. 1 unit 104 viewing duration; col. 4 lines 16-26 "Each viewing duration 104 reflects the channel viewed and the elapsed time"). The viewing duration 104 above is used in creating unit 204 total unit counter of Fig. 2 and unit 206 viewing unit counters for category/subcategory. Unit 206 as though above is interpreted as feature information and also has a numeral value.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bedard (U.S. patent # 5,801,747).

21. As for **Claim 7**, although Bedard does not expressly teaches the usage list can be constructed with *only* a link information that the feature information is positioned for providing the data corresponding to the link information including the feature information, it would have been obvious

to one of ordinary skill in the art to remove unit 202 (channel) from the usage history list in order to have the usage list to be constructed with only a link information that the feature information is positioned for providing the data corresponding to the link information including the feature information. One would have been motivated to remove unit 202 (channel) from the usage list if one wanted save storage memory in the usage history list.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Yoshinobu (U.S. Patent Number 5,734,444) teaches a broadcast receiving apparatus that automatically records frequently watched television programs.
2. Belmont (U.S. patent Number 5,819,156) teaches a tracking device coupled to a PC/TV that tracks, records, and reports user activity on both the television and PC
3. Lawler (U.S. Patent Number 5,758,259) teaches a method of identifying for a selected viewer a preferred program available from an interactive television system.
4. Seidman et al. (U.S. Patent Number 6,298,482) teaches a system with an application for creation and transmission of records of user viewing selection histories; and dynamic creation of "personalized" programs for the user.

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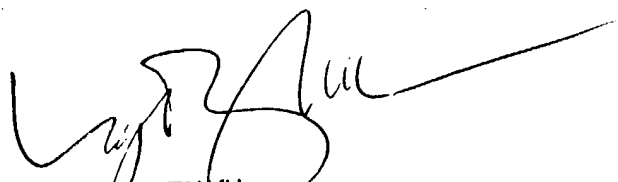
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirubel Aklilu whose telephone number is 703-305-8144. The examiner can normally be reached on 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA

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NGOC-YEN VU  
PRIMARY EXAMINER



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